

Gary S. Lincenberg - State Bar No. 123058  
glincenberg@birdmarella.com  
Ray S. Seilie - State Bar No. 277747  
rseilie@birdmarella.com  
Michael C. Landman - State Bar No. 343327  
mlandman@birdmarella.com  
BIRD, MARELLA, BOXER, WOLPERT, NESSIM,  
DROOKS, LINCENBERG & RHOW, P.C.  
1875 Century Park East, 23rd Floor  
Los Angeles, California 90067-2561  
Telephone: (310) 201-2100  
Facsimile: (310) 201-2110

Attorneys for Defendant  
Stephen Keith Chamberlain

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL RICHARD LYNCH AND  
STEPHEN KEITH CHAMBERLAIN

Defendants.

CASE NO. 3:18-cr-00577-CRB

**Declaration of Gary S. Lincenberg in  
Support of Defendant Stephen  
Chamberlain's Response to Court Order  
[ECF 246] and Reply in Further Support of  
Motion to Compel the Government to  
Secure the Trial Attendance of Rob Knight  
or, in the Alternative, to Issue a Rule 15  
Order for Deposition [ECF 234]**

Date: November 3, 2023

Time: 10:00 a.m.

Place: Courtroom 6 (via Zoom)

Assigned to Hon. Charles R. Breyer

**DECLARATION OF GARY S. LINCENBERG**

I, Gary S. Lincenberg, declare as follows:

1. I am an active member of the Bar of the State of California and a Principal with Bird, Marella, Boxer, Wolpert, Nessim, Dooks, Lincenberg & Rhow PC, attorneys of record for Defendant Stephen Keith Chamberlain in this action. I make this Declaration in support of Mr. Chamberlain's response to the Court's Order for supplemental briefing and his reply in further support to his motion to compel the government to secure the trial attendance of Rob Knight or, in the alternative, to issue a Rule 15 order for his deposition. Except for those matters stated on information and belief, I make this Declaration based upon personal knowledge and, if called upon to do so, I could and would so testify.

2. In response to my inquiry regarding whether the Court would need to issue a letter of request through the Hague Convention to compel Rob Knight's deposition if ordered, counsel for Mr. Knight stated that Mr. Knight does not consent to providing testimony on a voluntary basis and that Mr. Chamberlain would need to comply with the "normal procedures" to procure Mr. Knight's testimony.

3. Attached as **Exhibit 1** is a true and correct copy of Deloitte's settlement agreement with HP, dated April 27, 2016, which the Government marked as Trial Exhibit 2990 in the *United States v. Hussain* proceeding.

4. Attached as **Exhibit 2** is a true and correct copy of an email from Rob Knight to Richard Knights, dated July 3, 2010 and cc'ing Nigel Mercer, which the Government marked as Exhibit 938 in the *United States v. Hussain* proceeding.

5. Attached as **Exhibit 3** is a true and correct copy of an email from Brent Hogenson to Rob Knight and Richard Knights, dated July 3, 2010 and cc'ing Nigel Mercer, which the Government marked as Trial Exhibit 938 in the *United States v. Hussain* proceeding.

6. Attached as **Exhibit 4** is a true and correct copy of an Explanatory Memorandum to the Financial Reporting Council's Tribunal Report regarding Deloitte's audit of Autonomy.

1 I declare under penalty of perjury under the laws of the United States of America that the  
2 foregoing is true and correct, and that I executed this Declaration on October 26, 2023, at Los  
3 Angeles, California.

4  
5 /s/Gary S. Lincenberg  
6 Gary S. Lincenberg  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28